



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hastings et al.

Docket No.: PF453P2

Application No.: 09/373,658

Confirmation No.: 2817

Filed: August 13, 1999

Art Unit: 1642

For: METH1 Polynucleotides (as amended)

Examiner: K. A. Canella

SECOND
REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request that a corrected Filing Receipt be issued in the above-identified patent application. The official Filing Receipt received by Applicant, a copy of which is attached hereto with corrections noted thereon, has the following errors:

1. Under the heading Applicant(s):
 - a. Please delete "Luisa Iruela-Arispe, Los Angeles, CA" and "Steven M. Ruben, Olney, MD";
 - b. "Zdenka L. Jorak" should read --Zdenka L. Jonak--; and
 - c. "Jonathan A. Terret" should read --Jonathan A. Terrett--.

In support of this request, Applicants attach hereto the executed Declarations of the Zdenka L. Jonak and Jonathan A. Terrett which show the correct spelling of their names (Attachments A and B, respectively).

2. Under the heading Domestic Priority data as claimed by applicant:
 - a. "and claims benefit of 60/098,539 08/28/1998" should read --which claims benefit of 60/098,539 08/28/1998--; and
 - b. immediately before the phrase "and claims benefit of 60/144,882 07/20/1999" please insert the phrase --and claims benefit of 60/147,823 08/10/1999--.

In support of this request, Applicants note the Preliminary Amendment filed November 6, 2000 and the Preliminary Amendment filed concurrently herewith.

Applicant additionally requests that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect this correction.

Dated: September 30, 2005

Respectfully submitted,

By 

Melissa J. Pytel

Registration No.: 41,512

HUMAN GENOME SCIENCES, INC.

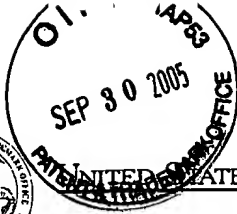
Intellectual Property Dept.

14200 Shady Grove Road

Rockville, Maryland 20850

(301) 610-5764

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/373,658	08/13/1999	1642	2834	1448.1070006	12	23	9

22195
 HUMAN GENOME SCIENCES INC
 9410 KEY WEST AVENUE
 ROCKVILLE, MD 20850

RECEIVED

MAY 20 2003

 HGS PATENT DEPT.

CONFIRMATION NO. 2817

CORRECTED FILING RECEIPT



OC000000010043928

Date Mailed: 05/15/2003

Receipt is acknowledged of a CPA in this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Luisa Iruela-Arispe, Los Angeles, CA;
 Gregg A. Hastings, Westlake Village, CA;
 Steven M. Ruben, Olney, MD;
 Zdenka L. ~~Jonak~~ Devon, PA; **Jonak**
 Stephen H. Trulli, Havertown, PA;
 James A. Fronwald, Norristown, PA;
 Jonathan A. ~~Torrett~~ Oxon, UNITED KINGDOM;
Terrett

Domestic Priority data as claimed by applicant

This application is a CIP of 09/318,208 05/25/1999 ABN
 which is a CIP of 09/235,810 01/22/1999 ABN
 and claims benefit of 60/098,539 08/28/1998
 and claims benefit of 60/072,298 01/23/1998
 and is a CIP of 08/845,496 04/24/1997 ABN
 and claims benefit of 60/144,882 07/20/1999

→ and claims benefit of 60/147,823
 08/10/1999

Foreign Applications

If Required, Foreign Filing License Granted: 09/23/1999

CPA filed on: 08/29/2002

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Meth1 and Meth2 polynucleotides and polypeptides

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



Attachment A

Declaration for Patent Application

HGS Ref: PF453
Docket Number: 1488.1070006/EKS/AJK

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Meth1 and Meth2 Polynucleotides and Polypeptides, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on August 13, 1999;
as United States Application Number or PCT International Application Number 09/373,658; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

☐ Yes ☐ No

(Application No.)	(Country)	(Day/Month/Year Filed)
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I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

<u>60/147,823</u> (Application No.)	<u>August 11, 1999</u> (Filing Date)
<u>60/144,882</u> (Application No.)	<u>July 20, 1999</u> (Filing Date)
<u>60/098,539</u> (Application No.)	<u>August 28, 1998</u> (Filing Date)
<u>60/072,298</u> (Application No.)	<u>January 23, 1998</u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>09/318,208</u> (Application No.)	<u>May 25, 1999</u> (Filing Date)	<u>(Status - patented, pending, abandoned)</u>
<u>09/235,810</u> (Application No.)	<u>January 22, 1999</u> (Filing Date)	<u>(Status - patented, pending, abandoned)</u>
<u>08/845,496</u> (Application No.)	<u>April 24, 1997</u> (Filing Date)	<u>(Status - patented, pending, abandoned)</u>

Send Correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor	Luisa IRUELA-ARISPE
Signature of sole or first inventor	Date
Residence	1342 Holmby Avenue Los Angeles, CA 90024
Citizenship	Spain
Post Office Address	SAME AS ABOVE
Full name of second inventor	Gregg A. HASTINGS
Signature of second inventor	Date
Residence	31919 Richgrove Court Westlake Village, CA 91321
Citizenship	U.S.A.
Post Office Address	SAME AS ABOVE
Full name of third inventor	Steven M. RUBEN
Signature of third inventor	Date
Residence	18528 Heritage Hills Drive Olney, MD 20832
Citizenship	U.S.A.
Post Office Address	SAME AS ABOVE

Full name of fourth inventor	Zdenka L. JONAK	<i>Zdenka L. Jonak</i>	
Signature of fourth inventor		<i>4/25/2000</i>	Date
Residence	28 Ladderback Lane, Devon, PA 19333		
Citizenship	U.S.A		
Post Office Address	SAME AS ABOVE		
Full name of fifth inventor	Stephen H. TRULLI		
Signature of fifth inventor	<i>Stephen H. Trulli</i>	<i>4/25/2000</i>	Date
Residence	2015 Belvedere Avenue, Havertown PA 19083		
Citizenship	U.S.A		
Post Office Address	SAME AS ABOVE		
Full name of sixth inventor	James A. FORNWALD		
Signature of sixth inventor	<i>James A. Fornwald</i>	<i>4-27-2000</i>	Date
Residence	2849 Ringneck Road, Norristown PA 19403		
Citizenship	U.S.A		
Post Office Address	SAME AS ABOVE		
Full name of seventh inventor	Jonathan A. TERRET		
Signature of seventh inventor			Date
Residence	Third Avenue, Harlow, Essex CM19 5AW United Kingdom		
Citizenship	Great Britain		
Post Office Address	SAME AS ABOVE		



Attachment B

Declaration for Patent Application

HGS Ref: PF453
Docket Number: 1488.1070006/EKS/AJK

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled Meth1 and Meth2 Polynucleotides and Peptides, the specification of which is attached hereto unless the following box is checked:

- ☒ was filed on August 13, 1999
as United States Application Number or PCT International Application Number 09/373,658; and
was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

(Application No.) (Country) (Day/Month/Year Filed) ☐ Yes ☐ No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

60/147,823 August 11, 1999
(Application No.) (Filing Date)

60/144,882 July 20, 1999
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60/072,298 January 23, 1998
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

09/318,208 May 25, 1999 _____
(Application No.) (Filing Date) (Status - patented, pending, abandoned)

09/235,810 January 27, 1999 _____
(Application No.) (Filing Date) (Status - patented, pending, abandoned)

08/845,496 April 24, 1997 _____
(Application No.) (Filing Date) (Status - patented, pending, abandoned)

Send Correspondence to:

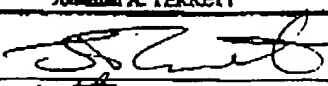
STONE, KESELER, GOLDSTEIN & FOX P.L.L.C.
1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005-3934

Direct Telephone Calls to:

(202) 371-2600

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Signature of sole or first inventor	Date
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Citizenship	Spain
Post Office Address	SAME AS ABOVE
Full name of second inventor	GREGG A. HASTINGS
Signature of second inventor	Date
Residence	31919 Richgrove Court Westlake Village, CA 91321
Citizenship	U.S.A.
Post Office Address	SAME AS ABOVE
Full name of third inventor	STEVEN M. RUBEN
Signature of third inventor	Date
Residence	18528 Heritage Hills Drive Olney, MD 20832
Citizenship	U.S.A.
Post Office Address	SAME AS ABOVE

Full name of fourth inventor	Zdenka L. FORAK	
Signature of fourth inventor		Date
Residence	28 Ladderback Lane Devon, PA 19333	
Citizenship	U.S.A.	
Post Office Address	SAME AS ABOVE	
Full name of fifth inventor	Stephen H. TRULLI	
Signature of fifth inventor		Date
Residence	2015 Belvidere Avenue Haverstown, PA 19083	
Citizenship	U.S.A.	
Post Office Address	SAME AS ABOVE	
Full name of sixth inventor	James A. FERNWALD	
Signature of sixth inventor		Date
Residence	2849 Ringneck Road Norristown, PA 19403	
Citizenship	U.S.A.	
Post Office Address	SAME AS ABOVE	
Full name of seventh inventor	Jonathan A. TERRETT ^{26/4/00}	
Signature of fifth inventor		Date 26/4/00
Residence	20 SANDFORD CLOSE ABINGDON, OXON UK OX14 2PX ^{26/4/00} New Frontiers Science Park South, Third Avenue Hemel Hempstead, Herts SG1 1SAW, United Kingdom	
Citizenship	Great Britain	
Post Office Address	SAME AS ABOVE	